05-17-00

CUTION APPLICA TION (CPA) REQUES

6 AU-1636 <u>ANSMITTAL</u>

Attorney Docket No. 16930-000921US Customer No. 20350 TOWNSEND and TOWNSEND and CREW LLP Client Ref No. 3005 Two Embarcadero Center, 8th Floor San Francisco, California 94111-3834 MAY 19 2000 (415) 576-0200 "Express Mail" Label No. EL378654644 FCH CENTER 1600/20 ASSISTANT COMMISSIONER FOR PATENTS Date of Deposit: May 15, 2000 **BOX CPA** Washington, D.C. 20231 I hereby certify that this is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above, addressed to: Assistant Commissioner for Patents Box CPA Washington, D.Q Sir: This is a request under 37 CFR 1.53 (d) for filing a CPA [X] Continuation [] Division of application , of Richard J. Gregory, Ken N. Wills and Daniel C. Maneval for 08/958,570 , filed October 28, 1997 RECOMBINANT ADENOVIRAL VECTOR AND METHOD OF USE Applicant understands that this <u>CPA</u> application automatically <u>ABANDONS</u> the parent application. A verified statement to establish small entity status under 37 CFR 1.9 and 37 CFR 1.27 & 1.28 [] is enclosed [] was filed in the prior application and small entity status is still proper and desired. Please record the enclosed assignment to [] A petition to extend time to respond in the above-identified prior application complying with the OG Notice of June 14, 1984 [X]is enclosed. Please enter the amendment under §1.116 dated ___ and unentered in the prior application. Please enter the enclosed preliminary amendment. Please cancel claim(s)_ I 1 []

> Applicant requests deferral of the filing fee until submission of the Missing Parts of Application. Do not charge the filing fee at this time.

> > TOWNSEND and TOWNSEND and CREW LLP

Telephone: (415) 576-0200 Facsimile:

(415) 576-0300

Timothy L. Smith

Reg No.: 35,367

Attorneys for Applicant

SF 1096451 v1